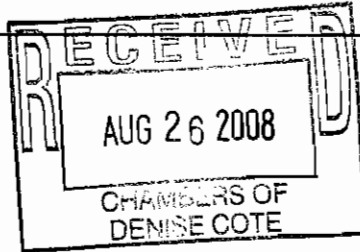


**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

Leonard F. Joy  
Executive Director



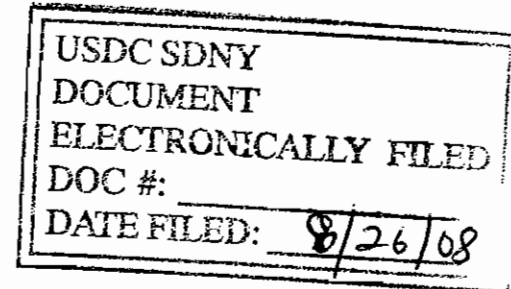
**MEMO ENDORSED**

Southern District of New York  
John J. Byrnes  
Attorney-in-Charge

August 25, 2008

**BY HAND**

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street -- 10<sup>th</sup> Floor  
New York, New York 10007



Re: United States v. Richard Martinez

~~07 Cr. 0799~~ (DLC)  
08 Cr. 157

Hon. Judge Cote:

I write to request an adjournment of Mr. Martinez's sentence date of September 19, 2008.

I make this request as I have not yet received the final disclosure nor have I received probation's sentence recommendation to the Court. I anticipate receiving probation's final disclosure in the first week of September.

With that timetable, I will be unable to abide by the Court's order that defendant's sentencing memorandum be filed with the court two weeks before sentence, as my client and I will not have had sufficient opportunity to review the final disclosure. Additionally, I will be out of the country the week of August 23<sup>rd</sup>.

I, therefore, request a two week adjournment of the September 19, 2008, sentence date. AUSA Lester has no objection to this request. Thank you.

Respectfully submitted,

Sabrina P. Shroff  
Assistant Federal Defender

cc: AUSA Lester

*denied.*  
*Denise Cote*  
*August 26, 2008*